

Attorney Docket No.: 11112-002001

#9

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Nolan et al.  
Serial No. : 09/392,869  
Filed : September 9, 1999  
Title : CATALYST COMPLEX WITH CARBENE LIGAND

Art Unit : 1713  
Examiner : J. Johnson

Commissioner for Patents  
Washington, D.C. 20231

FAX RECEIVED

FEB 23 2001

PETITIONS OFFICE

PETITION TO WITHDRAW

Applicant hereby petitions under §1.313(b)(5) for the withdrawal of this application from issue to permit consideration of an Information Disclosure Statement filed in a continuing application. The issue fee was paid on December 19, 2000, and this application is scheduled to issue on March 13, 2001.

The continuing application, claiming priority under 35 USC 120 from this application is being filed on the same day as this petition, as a continued prosecution application (CPA). The continued prosecution application is intended to abandon this application on the grant of this petition and when the continuing application is granted a filing date so as to make this application copending with the continuing application.

As set forth in MPEP 609 B(4), the filing of a petition under §1.313(b)(5) is sufficient to waive the requirement that an application under 37 CFR 1.53(d) be filed before payment of the issue fee.

Please apply payment of the \$130 petition fee required by 1.17(i), as well as any other necessary charges or credits to Deposit Account No. 06-1050, with reference to Attorney Docket No. 11112-002001.

02/26/2001 LGIBBS 00000002 061050 09392869

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## CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

February 23, 2001

Date of Deposit

Signature Shahreen Mehjaabeen

Shahreen Mehjaabeen


Typed or Printed Name of Person Signing Certificate

Applicant : Nolan et al  
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Page : 2

Attorney [redacted]ocket No.: 11112-002001

Respectfully submitted,

Date: Feb 23, 2001

  
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George E. Heibel, Ph.D.  
Reg. No. 42,648

Fish & Richardson P.C.  
45 Rockefeller Plaza, Suite 2800  
New York, NY 10111  
Telephone: (212) 765-5070  
Facsimile: (212) 258-2291

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